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**BEFORE THE ARIZONA POWER PLANT AND  
TRANSMISSION LINE SITING COMMITTEE**

1		)
2		)
3	IN THE MATTER OF THE APPLICATION	)
4	OF ARIZONA SOLAR ONE, LLC.,	) Arizona Corporation Commission
5	IN CONFORMANCE WITH THE REQUIREMENTS	)
6	OF ARIZONA REVISED STATUTES §§ 40-360,	) Docket No. L-00000GG-08-0407-00139
7	<i>et seq.</i> , FOR A CERTIFICATE OF ENVIRONMENTAL	)
8	COMPATIBILITY AUTHORIZING THE CONSTRUCTION	) Case No. 139
9	OF THE SOLANA GENERATING STATION, LOCATED	)
10	IN Section 9, Township 6 South, Range 7 West,	)
11	MARICOPA COUNTY, ARIZONA.	)

12		)
13	IN THE MATTER OF THE APPLICATION	)
14	OF ARIZONA SOLAR ONE, LLC.,	) Arizona Corporation Commission
15	IN CONFORMANCE WITH THE REQUIREMENTS	)
16	OF ARIZONA REVISED STATUTES §§ 40-360,	) Docket No. L-00000GG-08-0408-00140
17	<i>et seq.</i> , FOR A CERTIFICATE OF ENVIRONMENTAL	)
18	COMPATIBILITY AUTHORIZING THE CONSTRUCTION	) Case No. 140
19	OF SOLANA GEN-TIE, WHICH ORIGINATES AT THE	)
20	SOLANA GENERATING STATION, LOCATED IN	)
21	Section 9, Township 6 South, Range 7 West,	)
22	MARICOPA COUNTY AND TERMINATES AT THE	)
23	PANDA 230kV SUBSTATION, LOCATED IN Section 20	)
24	Township 5 South, Range 4 West, GILA BEND, ARIZONA	)
25	GILA BEND, ARIZONA.	)

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**PROCEDURAL ORDER**

Applications for Certificates of Environmental Compatibility were filed in the above captioned matters with Docket Control of the Arizona Corporation Commission on August 6, 2008. Copies of the applications were transmitted to John Foreman, designee of the Attorney General of Arizona, Terry Goddard, as Chairman and Presiding Officer of the Arizona Power Plant and Transmission Line Siting Committee ("Line Siting Committee"). A.R.S. §§ 40-360.01(B)(1) and 40-360.03. As authorized by A.R.S. §§ 40-360.01(C) and (D), 40-360.04 and A.A.C. R14-3-201(E), the Chairman issues the following procedural order,

IT IS ORDERED:

1. Granting the Applicant's Motion to Consolidate the Hearings of the above identified Applications because they involve common issues of law and fact, consideration together will not adversely effect the rights of any interested parties and because consideration together will reduce the time and expense of decision by the Line Siting Committee and the Arizona Corporation Commission ("Commission").

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- 1 2. The Applicant and all other potential parties ("persons" within the meaning of A.R.S.  
2 § 40-360(8) who intend to intervene or request to intervene in either application  
3 pursuant to A.R.S. § 40-360.05(A)) shall advise the Chairman in writing on or before  
4 the time of the pre-hearing conference scheduled below if they disagree that the  
5 time limit for decision on the application by the Line Siting Committee set by A.R.S. §  
6 40.360.04(D) is February 1, 2009.
- 7 3. The Applicant shall arrange for the publication and posting of notice of the hearing  
8 as agreed to at informal pre-application conferences involving the Applicant and all  
9 known potential interveners, in a form approved by the Chairman and circulated to  
10 all known potential interested parties. In addition, the Applicant shall submit a copy  
11 of the notice and present testimony describing the publication and posting of the  
12 notice at the hearing.
- 13 4. The Applicant shall make arrangements for the hearing to be held at the Glendale  
14 Civic Center, 5750 W. Glenn Dr., Glendale, Arizona, beginning at 9:30 a.m. on  
15 September 22, 2008, and continuing on 23, 2008, at 9:30 a.m. In addition, the  
16 Applicant shall make arrangements for a public comment session to be held at the  
17 same venue starting at 6:00 p.m. on September 22, 2008. The Applicant shall make  
18 arrangements for further regular sessions on October 14 and 15, 2008, and, if  
19 needed, additional public comment sessions on dates and at times to be determined  
20 later.
- 21 5. The Applicant shall contact Michael Kearns, Chief Finance Officer of the ACC (602-  
22 542-0659) and advise him of the Applicant's position concerning reimbursement of  
23 the Line Siting Fund should the expenses of the hearing exceed the application fee  
24 and to discuss financial arrangements regarding hotel reservations and other  
25 expenses of the Line Siting Committee members. A.R.S. § 40-360.10. The Applicant  
26 shall advise the Chairman of the results of these discussions so the necessary  
information may be communicated to the Line Siting Committee members.
6. The Applicant and all other potential parties ("persons" within the meaning of A.R.S.  
§ 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-  
360.05(A)) shall meet and confer on or before the beginning of the hearing to  
determine whether any of the intervening parties have similar interests in the  
application process that will allow them jointly to present testimony on direct or  
cross-examination of witnesses or jointly to offer exhibits into evidence. The  
Applicant shall, and any other potential party may, report to the Chairman the results  
of the attempts of the parties to resolve the issues and to determine if common  
interests exist that will allow parties to jointly present evidence and argument or to  
avoid repetition of testimony and argument at the hearing.
7. In addition, all parties shall meet and confer as needed before, during and after the  
hearing to resolve any disputes amongst the parties. The parties also shall keep all  
other parties advised of their positions and intentions with regard to the presentation

1 of evidence, witnesses and the application process in general to avoid delay, the  
2 presentation of repetitive evidence and any unfair advantage from surprise.

- 3 8. The Applicant and all other potential parties ("persons" within the meaning of A.R.S.  
4 § 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-  
5 360.05(A)) shall prepare brief summaries of the expected direct testimony of each  
6 witness they will call. In lieu of a testimonial summary, a party may pre-file and  
7 exchange all or substantially all of the direct testimony of any witness. Testimonial  
8 summaries and pre-filed testimony should be filed no later than the last pre-hearing  
9 conference or three business days before the witness is to testify, whichever is later.  
10 Except for good cause no witness will be allowed to testify on direct examination  
11 concerning issues not reasonably identified in the pre-filed testimony or testimonial  
12 summary.
- 13 9. The Applicant and all other potential parties (persons within the meaning of A.R.S. §  
14 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-  
15 360.05(A)) shall meet, confer and exchange all exhibits the party plans to offer in  
16 evidence before the hearing or before they are referred to in testimony or offered in  
17 evidence. The Applicant shall, and other parties may, provide one or more three  
18 ring binders for the Chairman and each member of the Line Siting Committee to hold  
19 exhibits at the beginning of the hearing and as needed during the hearing. Each  
20 party shall prepare a numbered list of the exhibits and a copy of all exhibits suitable  
21 for placement in the binders that have been exchanged with the other parties that  
22 each party expects to offer in evidence at the hearing for the Chairman and each  
23 Line Siting Committee member. The exhibits shall be provided at the beginning of  
24 the hearing and during the hearing before reference to the exhibit is made in the  
25 hearing. Except for good cause no exhibit that was not exchanged with the other  
26 parties and, if appropriate, provided to the Line Siting Committee shall be considered  
at the hearing.
10. All exhibits shall be consecutively numbered with the Applicant's exhibits  
denominated: A-1, A-2, etc. Each intervening party will be assigned by the  
Chairman a letter or letters with which to consecutively number its exhibits. For  
example, the Arizona Corporation Commission will number its exhibits: CC-1, CC-2,  
etc. Unless otherwise ordered common exhibit numbers will be used for each  
application.
11. The Applicant may make an opening statement at the beginning of the hearing of no  
more than thirty minutes. Each other party may make an opening statement of no  
more than five minutes.
12. Public comment will be heard after the opening statements and at other times set by  
the Chairman during the hearing. See ¶ 3, above.

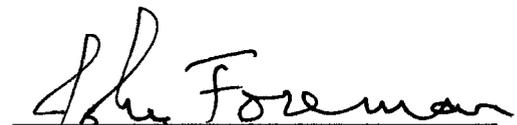
- 1 13. Applicant shall arrange for transportation of the Chairman and other Line Siting  
2 Committee members on a tour of the vicinity of the locations in the application. The  
3 Applicant shall submit to the Chairman in advance of the hearing a schedule and  
4 protocol for the tour for approval.
- 5 14. Parties may present their witnesses in panels where appropriate. A party that  
6 intends to present witnesses in panels shall identify the members of any panel at the  
7 time it files its witness summaries.
- 8 15. Applicant shall make arrangements for either the preparation of audio recording or  
9 expedited court reporter transcripts of the pre-hearing conference and the hearing,  
10 so that either the recordings or the transcripts are available for public inspection  
11 within three working days after each hearing date, as required by A.R.S. § 38-  
12 431.01D. In addition, Applicant shall file a certification with ACC Docket Control  
13 under the above Docket numbers that it has provided a copy of the transcripts to at  
14 least two public libraries identified in the certification that are in the vicinity of the  
15 application.
- 16 16. On or before the final pre-hearing conference set below the Applicant shall, and the  
17 other parties may, file proposed findings of fact, proposed conclusions of law and  
18 proposed Certificates of Environmental Compatibility concerning the issues to be  
19 addressed by the Line Siting Committee in determining whether to grant each  
20 application.
- 21 17. Before the beginning of closing arguments and the Line Siting Committee's  
22 deliberations, the parties shall meet and confer concerning proposed findings of fact,  
23 proposed conclusions of law and the wording of proposed Certificates of  
24 Environmental Compatibility. If the parties are able to agree upon part or all  
25 proposed findings of fact, proposed conclusions of law and proposed forms of  
26 Certificates of Environmental Compatibility, all that is agreed upon should be  
reduced to writing and filed with ACC Docket Control under the above Docket  
number. If the parties are not able to agree completely, the Applicant shall, and all  
other parties may, file proposed findings of fact, proposed conclusions of law and  
proposed Certificates of Environmental Compatibility on the day before the  
beginning of closing arguments and the Line Siting Committee's deliberations.
18. All witness summaries, proposed findings of fact, proposed conclusions of law and  
proposed Certificates of Environmental Compatibility, shall be filed with ACC Docket  
Control under the above Docket number pursuant to A.A.C. R14-3-204 and -205. All  
documents that are filed shall be served on all other parties and the Chairman by  
electronic mail, facsimile transmission or hand-delivery on the day they are filed. If  
any documents that are filed are hand delivered during the hearing, eleven copies  
shall be submitted to the Chairman for distribution to the other committee members.
19. The Applicant and all other potential parties ("persons" within the meaning of A.R.S.  
§ 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-

1 360.05(A)) shall meet with the Chairman for a final pre-hearing conference on  
2 September 15, 2008, at 1:30 p.m. at the offices of the Attorney General of Arizona at  
3 1275 W. Washington, Phoenix, Arizona. Parties may appear by telephone with the  
4 prior permission of the Chairman. At the final pre-hearing conference the Chairman  
5 will review with the parties:

- 6 a. The publication and posting of notices of the hearing;
- 7 b. Any notices to intervene, applications to intervene, and applications to make a  
8 limited appearance;
- 9 c. The status of the filing and exchange of witness summaries or written  
10 testimony, proposed findings of fact, proposed conclusions of law, and  
11 proposed Certificates of Environmental Compatibility;
- 12 d. The status of the exchange of exhibits amongst the parties;
- 13 e. Any objections, motions, responses and legal memoranda that have been  
14 filed;
- 15 f. Preparations for the hearing, public comment session, and tour of the vicinity  
16 of the proposed site; and
- 17 g. The status of settlement negotiations or attempts to narrow the issues at the  
18 hearing.

19 IT IS FURTHER ORDERED, the Chairman may amend or waive any portion of this  
20 Procedural Order by subsequent Procedural Order or by ruling at the pre-hearing  
21 conference or hearing.

22 DATED: August 6, 2008



23 John Foreman  
24 John Foreman  
25 Assistant Attorney General  
26 Chairman  
Arizona Power Plant and Transmission  
Line Siting Committee  
[john.foreman@azag.gov](mailto:john.foreman@azag.gov)

27 Pursuant to A.A.C. R14-3-204,  
28 The Original and 25 copies were  
29 filed August 6, 2008 with:

30 Docket Control  
31 Arizona Corporation Commission  
32 1200 W. Washington St.  
33 Phoenix, AZ 85007

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Copy of the above mailed this  
August 6, 2008 to:

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